

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is requested.

Claims 21-23 and 25-32 are pending in the present application. Claims 13 and 16-20 are canceled without prejudice and new Claims 25-32 are added by the present amendment.

In the outstanding Office Action, Claims 13 and 16-20 were rejected under 35 U.S.C. 102(b) as anticipated by Usami (U.S. Patent No. 4,879,585), and Claims 21-23 were indicated as allowed.

Applicants thank the Examiner for the indication of allowable subject matter.

Regarding the rejection of Claims 13 and 16-20 under 35 U.S.C. 102(b) as anticipated by Usami, Claims 13 and 16-20 have been canceled and new Claims 25-32 are presented. Thus, Usami is discussed with regard to new Claims 25-32.

New independent Claims 25 and 29 include the subject matter of Claim 13 and dependent Claims 17 and 18, respectively. Further, independent Claims 25 and 29 recite more clearly that a symmetry of a plurality of first semiconductor layers is with respect to a certain point or a certain straight line on a semiconductor substrate, as viewed from above a main surface of the semiconductor substrate. The claim amendments find support in Figure 7 and its corresponding description in the specification. New dependent Claims 26-28 and 30-32 are similar to Claims 16, 19, and 20, respectively. No new matter has been added.

Briefly recapitulating, new Claim 25 is directed to a semiconductor device that includes a plurality of first semiconductor layers formed in a first region of a semiconductor substrate and a second semiconductor layer formed in a second region of the semiconductor substrate. The plurality of first semiconductor layers are arranged to be symmetrical with respect to a certain point on the semiconductor substrate, viewed from above a main surface

of the semiconductor substrate. Independent Claim 29 is similar to Claim 25 except that a “certain point” was replaced by a “certain straight line.”

Turning to the applied art, Usami shows in Figure 4C a semiconductor device having insulation layers 22-1 and 22-2 with recesses formed in a surface area of a p-type substrate 20 and monocrystalline silicon layers 24-1 and 24-2 formed in the recesses of the insulation layers 22-1 and 22-2. The outstanding Office Action asserts at page 2, last paragraph, that the monocrystalline silicon layers 24-1 and 24-2 shown in Figure 4C of Usami are arranged to be symmetrical with respect to a certain point (or straight line) on the substrate 20.

However, Figure 4C of Usami only shows a specific cross-section of the semiconductor device and not a view from above a main surface of the substrate. Accordingly, Applicants respectfully submit that there is no basis to conclude the monocrystalline silicon layers 24-1 and 24-2 of Usami are arranged to be symmetrical with respect to a certain point (or straight line), viewed from above the main surface of the semiconductor substrate, as required by new independent Claims 25 and 29.

Accordingly, it is respectfully submitted that independent Claims 25 and 29 and dependent Claims 26-28 and 30-32 patentably distinguish over Usami.

Consequently, in ight of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Eckhard H. Kuesters", written over a horizontal line.

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